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Consideration of reports: reports submitted by States parties in accordance with articles 16 and 17 of the Covenant

List of issues in relation to the initial report of Pakistan

Addendum

Replies of Pakistan to the list of issues*

[Date received: 13 May 2017]

* The present document is being issued without formal editing.

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Paragraph 1

1. Most of the rights embodied in the International Covenant on Economic, Social and Cultural Rights (hereafter referred as the Covenant) as well as in other international human rights instruments ratified by Pakistan have always been part of the substantive law of the country, and have, thus, been enforced by the executive and the judiciary accordingly. While the courts in Pakistan lay down judgment in the light of the Constitution which enshrines human rights and fundamental freedoms set forth in the Covenant, the courts have been referring to Pakistan's international human rights obligations in their judgments, including Universal Declaration of Human Rights (UDHR) and the two Covenants.

2. The Constitution of Pakistan is in line with provisions of the Covenant. The provisions relating to the principles of policy in Chapter 2 of the Constitution are justiciable. The Constitution of Pakistan as well as various domestic laws, including Pakistan Penal Code (PPC) and Criminal Procedure Code (CRPC) as well as various domestic laws and regulations provide for interpretation and application of the Covenant. Also, under the National Action Plan for Human Rights approved by the Prime Minister in February 2016, the Government has committed to review existing legislation with the view to ensure that they are in line with our international human rights obligations and are not discriminatory in any manner.

Paragraph 2

3. After the devolution of powers through the 18th Amendment to the Constitution, existing Provincial departments have been strengthened and new departments have been established to safeguard citizens' economic, social and cultural rights. As outlined in the report, various policy and legal measures have been taken to strengthen the financial and administrative capacity of provincial governments to ensure that people regardless of their place of residence, enjoy their economic, social and cultural rights, particularly in the areas of social security, housing, health care and education. Besides, Treaty Implementation Cells have been established in the Provinces including Gilgit Baltistan. The primary purpose of these cells is to oversee and coordinate effective implementation of the ratified conventions. A Capacity Building Module has been prepared to build the capacity of Provincial Government departments in implementation of ratified Human Rights Conventions including the Covenant. In this regard, series of Provincial capacity building workshops are being arranged throughout the country.

Paragraph 3

4. The Federal Government has established the National Commission for Human Rights (NCHR) under the National Commission for Human Rights Act, 2012 (Act No. XVI of 2012). Ministry of Human Rights has taken various steps to facilitate the effective functioning of NCHR including establishment of NCHR Fund, office building, provision of temporary staff, creation of regular posts for NCHR, devising terms and conditions of Chairperson and Members of NCHR. Fund has been created on 1st October 2015 by Controller General of Accounts (CGA). Finance Division has approved supplementary grant of Rs. 100 million for establishment of NCHR fund. The Government has created 171 posts for the Commission. Further processes to strengthen the NCHR are under way. The Ministry of Human Rights fully supported the NCHR through providing initial office accommodation, human resource and allocation of funding amounting to Rs.100 million.

5. The NCHR Act 2012 provides a wide mandate to NCHR to undertake a number of initiatives and activities. There are no restrictions on its work. It can take Suo Moto action on any matter related to human rights in the country, including complaints related to economic, social and cultural rights. The Ministry of Human Rights has also notified the NCHR Complaint Rules, 2015 which comprehensively elaborate the procedure regarding evaluating and disposing of complaints of Human Rights Violations, including the cases of economic, social and cultural Rights. Out of 485 complaints received or disposed, 179

complaints involved matters related to the violation of different aspects of economic, social, and cultural rights.

6. The Commission has also taken 77 suo-moto notice of violation of Human rights including economic, social and cultural rights. In addition, three special investigative reports are being prepared by the Commission on the issues related to the violation of different aspects of economic, social, and cultural rights.

Paragraph 4

7. The Government has always been supportive of work of human rights defenders and civil society organizations working in the field of economic, social and cultural rights. National Action Plan (NAP) for Human Rights approved in February 2016 provides for various interventions in order to ensure protection of human rights of everyone including human rights defenders. An amount of Rs. 750 million has been approved to put in place institutional mechanisms for realizing the rights proposed in the NAP which includes an amount of Rs. 400 million for human rights education, sensitization, awareness raising, research and communication, Rs. 250 million for establishment of National Institute of Human Rights for capacity building, training, research and development and Rs. 100 million Endowment Fund for Free Legal Aid for Poor Victims of Human Rights Violations. A National Task Force (NTF) to monitor implementation of NAP has been notified under the chairmanship of Federal Minister for Human Rights comprising Parliamentarians (one each from National Assembly & Senate of Pakistan), relevant Federal Ministries and Provincial Human Rights Departments. Provincial Task Forces (PTF) under the Chairs of their respective Provincial Ministers in Punjab, Khyber Pakhtunkhwa and Sindh have also been approved. Establishment of Provincial Task Force in Balochistan is also under process.

8. The NCHR is mandated to take notice of any threat or harassment which human rights defenders, lawyers and journalists may face as a result of their work. Helpline "1099" established by the Ministry of Human Rights provides referral services, including legal advice to address grievances of the victims, including human rights defenders, journalists and media workers. On the occasion of universal Human Rights Day celebrated on 10th December, 2016, 40 human rights defenders were awarded in recognition of their services for protection and promotion of Human Rights.

9. It may be underlined that terrorists and extremists have been attacking journalists, human rights defenders and lawyers. The Government has taken several measures to safeguard them, including, notifying a Ministerial Media Security Committee with the mandate to suggest welfare measures to ensure safety of Journalists and Media Persons; initiation of a new scheme (Life Insurance Policy for Media Persons) for the welfare of the journalists; installation of Hot-Line Number (111-925-225) in Press Information Department for informing about any potential threat to them or security related issues and proposal for Establishment of Endowment Fund to provide relief to the wounded and disabled journalists who have fallen victims of terrorism in the line of duty.

Paragraph 5

10. Proportion of the budget allocated to social protection, housing, water, sanitation, health and education at the federal and provincial level has been enhanced considerably in the last 5 years and details of which are at annex I-V.

11. Different reforms have been introduced to improve revenue collection to an optimal level in order to provide required revenue for meeting expenditure on social and developmental sectors. Federal Board of Revenue's Policy and administrative reforms include, among others, Elimination of SRO Culture, Rationalization of Import Tariff and Corporate Tax Rates, Tax Reform Commission (TRC), Benami Transaction Law, Differential Taxation and Conversion of NTN into CNIC. Similarly, administrative measures, such as, broadening of Tax Base, Queue Management System in Refunds, strengthening Tax Audit, addressing inadmissible input adjustment and illegal refunds in Sales Tax, anti-Smuggling Strategy, establishment of Transfer Pricing Unit (TPU),

automation of IT Exemption Certificate, behavioral change, tax directory of Parliamentarians, establishment of Financial Investigation Cell, campaign against Tax Evaders, taxpayers facilitation and end-to-end Automation, web Based One Customs (WeBOC) System of Clearance, inland Revenue Information System (Iris) have been initiated by the Government. In addition, integrity Management Unit has been established in FBR to examine complaints of misuse of authority and develop effective vigilance and accountability within organization.

Paragraph 6

12. National Accountability Bureau (NAB) is an apex anti-corruption organization that works under National Accountability Ordinance, 1999 with principal functions to investigate white-collar crimes including financial fraud, corruption, misuse of official authority by holders of public office, to prosecute the offenders and to recover the proceeds of crimes. It has strived to utilize advanced technologies in optimization of its manual procedures and indigenously developed Monitoring and Evaluation System which provided much needed support to all tiers of supervisory management in discharge of their official responsibilities in order to enhance the operational, monitoring and evaluation capabilities of the Bureau. A Forensic Science Lab, equipped with latest gadgets and technology has been established for Digital Forensics, Questioned Documents and Fingerprint Analysis.

13. A comprehensive campaign to raise awareness in public about the ill effects of corruption has been launched by engaging different stakeholders, including Government departments and civil society organizations. This has helped to curb menace of corruption which has led to promotion good governance. With regard to organized transnational crimes relating to corruption, MoU has been signed with China. With some other countries, MoUs/ Protocols are in the process of finalization to intercept proceeds of transnational organized crimes. Data indicating the cases filed and decided by NAB since inception till November 2016 is at Annex-VI. FIA filed and investigated 30 cases against public officials. Besides, all Federal and Provincial departments have their own internal mechanisms to deal with cases of corruption at the departmental level.

Paragraph 7

14. The existing legal framework comprehensively protects the rights of all its citizens without discrimination. Pakistan is party to International Convention on the Elimination of All Forms of Racial Discrimination and International Convention on the Suppression and Punishment of the Crime of Apartheid. The spirit of anti-discrimination has been given full effect in the Constitution, Pakistan Penal Code (PPC) and other domestic laws and articles 25-27 of the Constitution prohibit discrimination on any ground and in all aspects of life.

15. It may be highlighted that the judicial interpretation of Article 25 guaranteed in the Constitution has led to the development of an extensive body of case law covering a broad spectrum of governmental activity. In practice, equal protection of law is ensured by the right of individuals to challenge governmental actions in courts and the power of the courts to invalidate acts which are determined to be unconstitutional. The principle of non-discrimination is thus, enshrined in Article 25 of the Constitution. Article 25 also encourages the State to take special measures for the protection of the rights and interests of women and children in this regard. This is reflected in the government policies and demonstrated in the schemes that provide job quotas in the government across the board as well as reserve seats in educational institutions. It can be enforced directly at the request of any individual within the jurisdiction of Pakistan through a constitutional petition before the relevant high court having territorial jurisdiction. The approach of the courts while hearing such petitions has been generally very considerate and numerous such petitions are heard and disposed of by the High Courts in Pakistan on a regular basis. The judicial interpretation of Article 25 is, therefore, broad enough to address discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

16. Article 26 states that no person otherwise qualified can be discriminated against in the matter of employment on the basis of race, religion, caste, sex, residence or place of birth. Article 27 places complete ban on discrimination on the basis of sex in appointment in "the service in Pakistan", provided that the performance and functions of the job can be carried out by, and is deemed suitable for, both sexes.

17. The Government is of the considered view that in the presence of a wide-range of laws dealing with discrimination faced by vulnerable segments of society, there is no need for a comprehensive anti-discrimination law at this stage. The Government is focused on the implementation of these laws and formulating new ones, whenever gaps are pointed out in the existing legal framework. Some of the laws for vulnerable groups, include, among others, Hindu Marriage Bill, 2016, Criminal Law (Amendment) (Offence Relating Rape) ACT, 2016, Criminal Law (Amendment) (Offences in the name or pretext of Honour) Act, 2016, The Protection Against Harassment of Women at the Workplace Act, 2010, Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 2011, National Commission on the Rights of the Child Bill, 2017 and Juvenile Justice System Bill, 2017.

18. Pakistan does not recognize any discrimination among individuals on the basis of their belonging to a specific caste. National Database and Registration Authority (NADRA) which has been mandated under the law for the registration of all the citizens of the country was requested to collect data along with specific information which is required under the law of the land. NADRA responded that there is no requirement under the Pakistani law to maintain data on the basis of caste. Pakistan does not encourage the recognition of the individuals on the basis of caste for it may be discriminatory to divide a culturally diverse society on the basis of caste. Such an approach is evident from State practice. Government has abandoned all earlier references to the term "scheduled caste" from the pre-partition inherited documentations. The Government has made policies after independence for the advancement of socially backward classes of citizens by prescribing quota for the underdeveloped regions.

19. Article 36 of the Constitution ensures protection specifically provided for minorities. Similarly, Section 153-A of PPC provides legal framework for ensuring inter-ethnic, inter religious and sectarian harmony. The Government has taken a number of initiatives to combat discrimination against minorities, including, among others,

(i) Celebration of 10 events/festivals for minorities at official level including at the Presidency in which Prime Minister and President participate;

(ii) Section 5A(b) of the Press, Newspapers, News Agencies, and Books Registration Act 2002 (XXVII) of 2002 restricts the publication of any graphic or printed representation or projection of statements, comments, observations or pronouncements based on sectarianism, ethnicity or racialism;

(iii) The National Heritage Wing of the Ministry of Information and Broadcasting promotes harmony in the society through its multifarious approach by organizing a number of events such as cultural festivals, musical programs, and cultural exchange programs with the view to promote awareness and understanding about different cultures across the country;

(iv) The free and active media in Pakistan continues to help in countering extremist narrative and foster respect for religious and cultural diversity. More than 100 T.V. channels and Radio stations are operating in Pakistan. Around 1500 newspapers and periodicals in over a dozen languages are published. A number of channels focus on human rights, including minority rights, through discussions on challenging religious, social and cultural issues;

(v) Interfaith Harmony Committees have been established by the Provincial Governments which are playing positive role to create healthy environment among different communities;

(vi) Hate speech which promotes discrimination has been criminalized;

(vii) The Ministry of Human Rights has drafted Constitutional Amendment Bill 2016 in which it has proposed to enhance reserve seats for minorities in the National as well as Provincial Assemblies; and

(viii) To overcome discrimination, 5% quota in all public sector employments has been reserved for minorities.

Paragraph 8

20. The Government has been making concerted efforts to promote equality between men and women in all spheres of life. It continues to review existing legislation to ensure that discriminatory provisions of any law in the state party are amended and in this regard, the National Commission on the Status of Women has played an important role and has reviewed a number of laws and proposed amendments which are being introduced. However, the Constitution as well as all other laws are in line with the Shariah law and laws relating to land, property and inheritance are in consonance with Islamic provisions.

21. The Provincial Governments have been taking a number of measures to guarantee women's right to land, property and inheritance. Governments of Sindh, KPK, and Balochistan have introduced reforms and are in the process to review discriminatory laws against women regarding land, property and inheritance. Measures taken by the Government of Punjab to ensure women's property rights are;

(i) Amendments in Land Revenue Act 1967 and Rules have been notified. It has been notified that copies of computerized national identity card and form B of deceased and all heirs shall be mandatory produced before the Revenue Officer for mutation of inheritance which will ensure protection of inheritance right in general and for women in particular;

(ii) District Enforcement Inheritance Rights Committees (DEIRCs) have been constituted in every district;

(iii) Punjab Partition of Immovable Property Act 2012 has been passed by the Provincial Assembly and enacted. Notification has been issued for waiving of registration fee on instruments of partition based upon opening of inheritance w.e.f. 13-08-2012;

(iv) The Punjab Government is giving proprietary rights. In all the below mentioned schemes, with joint titles are being given to both husband and wife (50% share each), such as, Jinnah Abadis Scheme in rural areas of Punjab (approx 90,000 households), Residents of Katchi Abadis (approx 110,000 households), Regularization of residential occupants of state land in village abadis (approx. 700,000 households) and Cottage Villages for Women in Labour Colonies.

22. NCSW established complaints mechanism for general elections 2013 to monitor women's participation pre, during and post elections and monitored elections with Election Commission of Pakistan (ECP) in 26 Constituencies and submitted Monitoring Report with recommendations to ECP. They also sent recommendations for Electoral Reforms submitted to Parliamentary Election Reforms Committee. Besides, Women Economic Empowerment Status Report has been published for promoting women's participation/ representation in decision making forums.

23. The Government of Punjab and Sindh have taken numerous steps to enhance women's representation in decision making process such as, quota for women in all public service employment including posts recruited through PPSC has been enhanced to 15%; passage of the Punjab Fair Representation of Women Act, 2014 (All Boards of statutory organizations public sector companies and committees as well as special purpose task force and committees shall have 33% women representation); representation of one woman in all selection and recruitment committees for regular and contractual employment; proportional representation of women in all administrative leadership posts (including departmental heads and key field offices); and inclusion of Women in Executive Body and as Office Bearers in trade Unions in the same proportion in which they are employed.

24. Key decision-making positions are held by women such as, Minister for State for IT, Ms. Anusha Rehman, Minister for State for Health and Regulations, Ms. Saira Afzal Tarar, Punjab Minister of Women Development Ms. Hameeda Waheeduddin of Pakistan-Japanese heritage, Foreign Secretary, Ministry of Foreign Affairs, Ms. Tehmina Janjua, chairman provincial Human Rights Commission, Mrs Justice (retd) Majida Rizvi, Dr Shireen Iqbal, Secretary Social Welfare Department, Nirgis Gholo and Secretary Ministry of Human Rights, Ms. Rabia Javeria, among many others. In a Federal set up, Provincial Ministers have even greater grassroots impact in terms of implementation, access and visibility. There are many across the country in the Provincial Governments.

Paragraph 9

25. Employment data disaggregated by sex, age group and region, including unemployment and underemployment rates, in the past five years may not currently be available. However, after the ongoing Census, data would be available.

26. Law Justice Commission of Pakistan (LJCP) recommended amendments in the Employment of Children Act, 1991 suggesting prohibition on employment of the children in certain harmful occupations and enhancing the present age limit for child employment from fourteen years to fifteen years for their protection against any possible harm to their physique or mental/psychological growth. The Commission also recommended that the quantum of punishments provided in the Employment of Child Act, 1991 should also be prescribed in Sections 4, 5 and 6 of the Children (Pledging of Labour) Act 1933. The penalties of fine be enhanced to Rs.20,000/- and in case of second default, instead of imposing fine, punishment for imprisonment should also be provided for deterrence. On an application from Mr. Usama Khawar, the Supreme Court of Pakistan took suo moto notice of the hazardous emission of dust by stone/marble crushing and grinding, causing Silicosis. The Supreme Court vide its Order dated 25-6-2015 directed the LJCP to coordinate with relevant provincial departments for collection of data.

27. Pursuant to the directions of the Supreme Court of Pakistan, the LJCP collected the data of silicosis sufferers as well as registered factories, shops and commercial establishments. Review of information revealed that the Labour Departments have no baseline data of workers, so the Pakistan Bureau of Statistics was requested to devise a questionnaire in collaboration with the provincial Labour Departments for collection of data of workforce. Further, it was observed that there is no special law on Occupational Health and Safety (OHS) exists on statute book therefore the Supreme Court directed the Ministry of Human Resource to draft a legislation on the subject. The LJCP reviewed the OHS law in consultation with relevant stakeholders and forwarded it to the provinces for legislation. The Secretariat LJCP also encouraged the Punjab Government to launch Public awareness campaign regarding silicosis in print and electronic media. In this regard, the PTV also aired a programme titled "Meri Awaz" to highlight the issue of silicosis.

28. A check list has been devised under Chapter III of the Factories Act, 1934 for mandatory inspections to ensure safety. The Law on Occupational Safety & Health is in process, which will cater all kind of issues related to the hazards at work place and will also widen the scope/ applicability. A scheme on establishment of Centre for Occupational Safety & Health in Khyber Pakhtunkhwa of worth Rs. 60 million with a view to equip Inspectors has been approved. Inspector of Factories are directed to inspect various hazards at work place and order suggestions for their eradication so that a healthy working environment is developed. Training at different establishment of the province on different Health and Safety issues for both workers and employers to highlight the importance of healthy and safer working environment are in the process. Automation and computerization of information collection of data of the industries and workers is also underway through an ADP scheme "Establishment of Resource Cell and Reporting System".

29. At present occupational and Safety and Health issues are dealt with under Sindh Factories Act, 2015. Whereas, Sindh Occupational Safety and Health Act 2017 duly vetted by Law Department has been sent for approval by Sindh Cabinet and shall be soon placed for enactment. This Act aims to make provision for better Occupational Safety and Health

conditions at all workplace for the protection of persons at work against risks of injury arising out of the activities at work places.

Paragraph 10

30. Government has reserved 10% quota for fresh recruitment through CSS for women in addition to their existing eligibility to complete against the laid down provincial/regional quotas for recruitment to civil posts under Federal Government and decided to reserve 10% quota for employment of women to all posts across the board in Federal Government services, 5% quota for employment of Minorities to all posts across the board in the Federal Government services/ jobs to be filled by direct recruitment including CSS in addition to their participation in the open merit. 2% quota has been reserved for employment of disabled persons to posts in BS-15 and below under the Federal Government rules. All Ministries/ Divisions/ Attached Departments/ Subordinate Offices/ Autonomous/ Semi Autonomous Bodies/ Corporations/ Regulatory Authorities etc. are directed to implement the quota. The Government of Sindh and Punjab have enhanced this quota to 15 percent for women in all public sector jobs.

Paragraph 11

31. At the time of presenting the national budget, national minimum wage is announced keeping in view inflation rate, consumer price index and requirements for fulfilling basic necessities. This minimum wage is followed by provinces while determining provincial budgets. Each year, minimum wage is revised by Federal and Provincial Governments.

32. The Government of Punjab notified the minimum wages for un-skilled workers fixed as 14000/- per month in 102 industries and established the Minimum Wages Board which forward the recommendations for enhancing minimum wages almost each year, keeping in view, inflation rate and consumer price index etc. after tripartite consultations. The Government of Sindh has declared Rs. 14,000/- per month as minimum rate of wages for unskilled adult and juvenile workers employed in all the Industrial / commercial establishments in Sindh. Under Sindh Minimum Wages Bill, 2015, the Government has constituted a Minimum Wages Board consisting of tripartite representation (comprising of Employers, Workers & Government), which on a reference from government, recommend, after such enquiry as the Board, the minimum rates of wages for adult, skilled and unskilled workers, juvenile and adolescent workers employed in industrial establishments or commercial establishments or both and on receipt of a recommendation of the Board the Government by notification in the official Gazette, declare the minimum rates of wages recommended by the Board for various categories of workers.

Paragraph 12 (A-C)

33. Currently a check list has been devised under Chapter-III of the Factories Act, 1934 and inspections have been made mandatory, a separate legislation has also been drafted on OSH which covers informal sectors as well and is being considered by tripartite consultations. Regarding provinces, as stated earlier, At present Occupational Safety and Health Issues are dealt under Sindh Factories' Act, 2015. Discrimination of any kind has been ruled out in all provincial labour laws. Furthermore, under Sindh Minimum Wages Act, 2015 discrimination in payment of minimum wages between male and female is punishable with a fine which may extend to fifty thousand rupees but not less than twenty thousand rupees and in case of subsequent offence, after having been convicted previously, is punishable with fine which may extend to seventy five thousand rupees but not less than fifty thousand rupees. A scheme on OSH "Establishment of Centre for Occupational Safety and Health" in KPK of worth 60 million with a view to equip inspectors has been approved.

34. In order to protect domestic workers from labour exploitation and sexual harassment, provinces are in the process of formulating laws and policies. At the Federal level, law on

domestic workers is under consultation and soon a consensus draft shall be sent to Government for approval.

Paragraph 13

35. A National Policy and Action Plan for the Abolition of Bonded Labour and Rehabilitation of Freed Bonded Labourers were formulated in 2001. The subject of labour has been devolved to the Provinces of Pakistan after the enactment of the 18th Amendment to the Constitution and now provinces have formulated their own laws and policies. The provincial government of Punjab promulgated 'The Punjab Prohibition of Child Labour at Brick Kilns Ordinance 2016' in January 2016, which aims at ending bonded labour in the brick kiln industry and further eliminating incidence of child labour through an extensive inspection and monitoring mechanism. The trained inspectors have carried out 7681 inspections from January-April 2016, and arrested 768 owners of brick kilns, many of whom have been convicted through courts. The children previously working at the brick kilns are being provided free education. At the time of enrolment, they receive $ 20, free books, uniform, bags and shoes. To ensure their retention in schools, the children are awarded $ 20 on completion of each year in school.

36. KPK Government has adopted KPK Bonded Labour System (Abolition) Act,2015. For bringing about improvement in the labour inspection regime, the government of KPK has approved 66 new posts of inspectors including 5 female labour inspector and 3 new offices. The Government of Sindh has adopted action plan to combat bonded labour. Government of Balochistan has allocated Rs: 40 million for addressing child labour.

Paragraph 14

37. After the 18th Constitutional amendment and transfer of the subject to the provinces, the provincial labour departments are working to enhance their institutional capacity by enacting new legislations, amending the previous ones and recruiting labour related officials. One of the major achievements is that all provinces have also adopted Industrial Relations Acts (IRAs). There are a large number of factory-based unions in the country. A total of 14 trade union federations exist at national level. All Pakistan Workers Confederation is a compendium of important trade union federations. Collective Bargaining Agent (CBA) represents all workers and it helps to avoid ambiguity, overlapping and disturbance at workplace. Only that union is to be declared as Collective Bargaining Agent which has its members not less than 1/3rd of the total number of workmen employed in such an establishment or group of establishments. The public sector workers are not prohibited from forming associations; rather the law allows occupational associations (confined to a distinct class of Government servants) under Government Servants (Conduct) Rules, 1964 to form associations. The All Pakistan Clerks Association (APCA) is a notable example of association of persons engaged in the public sector.

38. The Government of Punjab had enacted Punjab Industrial Relations Act, 2010 to ensure promotion of rights to join and register the trade unions and have right to collective bargain with the management and submit charter of demands through a legal process. In KPK province, KPK IRA, 2010 duly recognizes the right to collectively bargain. There are other bodies such as Work Council, Shop Steward and Joint Management Board etc. that allow workers to express views and take decisions on the working conditions of workers among other related matters. The employees of public administration are allowed to form unions and associations except those governed under the Civil Servants Act, 1973. The terms and conditions of such public sector employees are covered under the Act and they are not required to be registered under the Labour laws.

39. Under Sindh Industrial Relation Act, 2013 workers without distinction have the right to establish and subject to the rules of the organization concerned, join trade unions and associations of their own choice without previous authorization. In the establishment where women are also employed, the trade union shall include the women in the executive and office bearers of the respective trade union with the same proportion in which they are

employed in the establishment. This new law also provide right of association to Agriculture & Fisheries Workers. BIRA, 2010 of Balochistan, contains provisions for the rights of workers to organize and bargain collectively.

Paragraph 15

40. Although employees contributing to the Employees Old-Age Benefits remains low, the Government is encouraging employees to contribute to the old age benefits with the view to provide social security to employees in old age. Social security coverage of the benefits to the self-employed, workers in small workplaces and workers in the informal economy continues to remain under consideration.

Paragraph 16 (A-C)

41. The Government launched Benazir Income Support Programme (BISP) in July, 2008 with an immediate objective to cushion negative effects of slow economic growth, food crisis and inflation on the poor women through the provision of cash transfers. Vision of the program is to give dignity, empowerment and meaning of life to the poorest of the poor women. Government has expressed a strong resolve to reform social protection mechanism in line with its obligations.

42. In the last 3 years, the government placed special emphasis on the expansion of BISP and improvement of its delivery mechanism. The budgetary allocation of BISP was enhanced to Rs. 75 (B) (US$ 750 million aprx) in 2013-14 which stands at around Rs. 115 (B) ($ 1.11 B) for current financial year. So far, BISP has disbursed a total of Rs. 436 B ($ 4.3 B) as Unconditional Cash Transfer (UCT) to the poorest of poor families all across the country. Starting from Rs. 3000 ($ 46 aprx). Similarly the conditional cash transfer (primary education stipend) has been on the increase since its start and now stands at ($ 7 aprx) per child per quarter.

43. BISP eligibility criteria are based on a Poverty Score Card (PSC) which determines the Proxy Means Test (PMT) of the beneficiary. Poor women having a cut off score up to 16.17 are eligible to receive the stipend. Cut-off score of 16.17 is not representing a poverty line but was decided on the basis of available fiscal space. The poverty survey was conducted in the country based on a universal targeting (census) approach, during which data for 87% of the population (about 155 million population) was gathered and computed to generate poverty scores for individual households. The number of ever paid beneficiaries under the Unconditional Cash Transfer (UCT) comes to 5.5 million as of 30th September, 2016.BISP is much more than distribution of money. It has brought millions of girs and women into the census for the first time, addressed the issue of invisible people through issuance of identification card and have contributed to their socio-economic empowerment.

Paragraph 17

44. Government through Benazir Income Support Programme is committed to increase the number of beneficiaries. BISP is endeavouring to expand its coverage in the coming years despite the challenge that BISP has always faced i.e. high illiteracy levels among poor beneficiaries and their lack of access to formal communication channels. As a result of poverty survey conducted in 2011, 7.7 million families were identified as living below the cut-off score of 16.17. BISP has enhanced its enrolment from 3.8 million in 2013 to 5.5 million in 2016 and is consistently endeavouring to increase the coverage and enrolment. BISP is presently engaged in update of National Socio-Economic Registry (NSER) which would be implemented in two phases and is likely to be completed by first quarter of year 2018. In the primary education initiative (Conditional Cash Transfer) 1.3 million children have been enrolled and around Rs. 2.9 billion (US$ 28 million) have been disbursed to the mothers of these children as an incentive for enrolling their children in Primary Schools.

Paragraph 18

45. A Private Members' Bill titled "The Child Marriage Restraint (Amendment) Bill" has been introduced in the National Assembly which is presently being considered. The Bill provides for raising the age of marriage for girls from 16 to 18 years. After the 18th Constitutional Amendment, Provinces have enacted various laws to address the issue of early child marriages. The Punjab government has promulgated the Punjab Marriage Restraint (Amendment) Bill, 2015. According to the Act, if a boy is below 18 and girl is below 16, it would be an offence punishable with imprisonment which may extend to 6 months and fine of fifty thousand rupees. The Sindh Child Marriage Restraint Act is being implemented which declares marriage below the age of 18 years punishable by law. In cases of underage marriage, the parents, bride and groom are being sentenced to three years in prison and fine with Rs. 45,000.

46. The KPK Elimination of Custom of Ghag Act is also being implemented. The customary practice under the name of Ghag whereby a male person forcefully demand or claim the hand of a women without her own or her parents' or wali's consent has been made an offence punishable with imprisonment of either description for a term which may extend to seven years but shall not be less than three years and shall also be liable to fine up to five hundred thousand rupees or both. A bill on protection of the child marriage has been finalized with consultation of stakeholder by the Government of Balochistan and submitted for approval. The minimum age for marriage in this bill for both (boys and girls) has been proposed as 18 years. Moreover, awareness raising regarding the disadvantage of child marriage is regular part of the activities of human rights departments of provinces.

47. Government of Gilgit Baltistan drafted the Child Marriage Restraint Act, 2016 which is under discussion before the Standing Committee in which the age for marriage has been proposed as 18 years. Besides, Hindu and Christian Marriages act are also being considered by the Parliament.

Paragraph 19

48. The issue of honour killing is being addressed by the Government of Pakistan. There is political attention and resolve to address the issue at the highest level. A screening of Sharmin Obaid Chinoy's documentary, A Girl in the River: the Price of Forgiveness, on so-called honour killing was held at the Prime Minister's House. At that occasion the Prime Minister reiterated that honour killings are totally against Islam and anyone who does this must be punished and punished very severely and that "there is no honour in honour killings".

49. Provinces have taken various steps and measures to control such harmful practices. KPK Provincial Assembly has passed the Khyber Pakhtunkhwa Elimination of Custom of Ghag Act, 2013 in order to eradicate the Social Evil called Ghag. The Sindh Government receives complaints regarding honour killings in its Women Complaint Centers. Similarly, Punjab and Balochistan have introduced policy and administrative measures to curb this despicable practice.

50. In October 2016, Anti-Rape (Criminal Laws Amendment) Bill and Anti-Honour Killings (Criminal Laws Amendment) Bill have been passed to tackle the issue of honour killings and to increase rape convictions by reforming existing laws. Under the new laws, relatives of victims would only be able to pardon the killer convicted of capital punishment, but the killer would still face a mandatory life sentence of 25 years.

51. The Superior Courts have handed down judgments in cases of violence against women and the perpetrators have been punished for the offences they have committed. The death sentence awarded to Farzana Iqbal's father and brother is a case in point. Also, in the last three years 115 accused persons have been convicted.

52. After extensive consultations with all stakeholders including the civil society, Pakistan has recently launched the historic National Action Plan on Human Rights which also focuses on elimination of gender-based violence. National Commission on the Status

of Women is playing an instrumental role in addressing the issue of violence against women.

53. Government of Sindh and Government of Balochistan enacted Domestic Violence (Prevention and Protection) Act, 2013. Other provinces are in the process of formulating similar laws. The government is taking policy as well as administrative measures to implement these laws. In addition to 26 Women Crisis Centers that have been established across the country, Family Protection and Rehabilitation Centre for Women has been established in 2004 in Islamabad to provide support and family protection and rehabilitation for the survivors of domestic violence.

54. Punjab Violence against Women Law, 2016 was passed to deal with violence against women in a comprehensive manner. Accordingly, violence against Women Centres are being established in Multan, Punjab. Two more centres in Faisalabad and Gujranwala are to be established during 2016-17.

55. The Gender Crime Cell (GCC) of National Police Bureau gathers collates and analyses data on violence against women, especially cases of gang rape, rape, abduction, kidnapping and honor killings. It also deals with cases of sexual harassment in the workplace. Having this central repository of data on cases of Violence against Women is intended to assist policy makers to develop comprehensive and effective measures to control violence.

56. To investigate cases of harassment at the workplace, Ombudsman offices at Federal and provincial level in Punjab and Sindh have also been established under the Harassment at the Workplace Act 2010. For providing speedy access to justice to women victims, 9 Women Police Centers have been established.

Paragraph 20

57. The Government through Local Government System and NADRA has undertaken various measures for child Birth Registration. At the federal level, NADRA in collaboration with UNICEF is promoting a Civil Registration Management System and with the Ministry of Interior strengthening hospital-based birth registrations. Birth registration strategies which are outlining clear actions to achieve universal birth registration have been developed in Punjab, Khyber-Pakhtunkhwa, Sindh, AJK and the Federally Administered Tribal Areas in collaboration with UNICEF. In Balochistan, which has the lowest rates of birth registration in the country, the Department of Local Government and Rural Development in collaboration with UNICEF has promoted birth registration in 10 districts. The same model is now being replicated in further 10 districts in the province.

58. The Governments of Punjab and Sindh in collaboration with UNICEF also entered into partnership with mobile phone operator Telenor to utilize mobile technology to improve birth registration rates. Fifteen (15) district-based Child Protection Units (CPUs) have been established in different parts of Sindh province. Regular awareness sessions are organized in communities about the importance of birth registration. The Provincial Government of KPK has established a three (3) tier system at the District, Tehsil and Village/neighbourhood councils. Registration of children is one of the mandatory functions of the village/neighbourhood councils under Section 29 (e) of the Local Government Act, 2013.

59. The Government has issued Proof of Registration (PoR) Cards that allow temporary legal stay to registered Afghan refugees in Pakistan, now in their 38th year. The PoR Cards are issued by National Database and Registration Authority to all Registered Afghan over 5 years of age whereas under 5 are listed on the card of mother or head of the family. On the expiry of PoR card, the same are being renewed from time to time. These cards are currently valid until 31 December 2017. A NADRA's Mobile Unit facilitates the gypsies' registration.

Paragraph 21

60. Employment of Children's Act, 1991 at the federal level prohibits all forms of child labour. Provinces are working to adopt similar laws. The Law and Justice Commission of Pakistan recommended amendments in Employment of Children Act, 1991 for improving the status and conditions of children in the society by recommending the prohibition of employment of children in certain harmful occupations by adding them to the Schedule of the Employment of Children Act, 1991.

61. The Factories Act 1934, Mines Act 1923 and Shops & Establishments Ordinance, 1969 set the minimum age as 14 years (15 years for mine workers). In Punjab Province, the Punjab Restriction on Employmeyt of Children Ordinance, 2016 bans child labour in all sectors of the economy with heavy punishments. Similarly, the Punjab's Restriction on Employment of Children in Brick Kilns Ordinance, 2016 declares child labour as heinous crime. A list of 38 hazardous works has been provided in the Ordinance in which children under 18 are prohibited from employment, and under section 6 of the Ordinance, stringent penalties would be imposed on violators. The provisions of this Ordinance are applicable on all establishments and lay down strict punishment for violators. The term establishment addresses all those places where economic activities are carried out. Punjab Government has initiated an integrated "Elimination of Child & Bonded Labour Project" and promotion of decent work for vulnerable workers with the cost of Rs 5.16 billion in all of the 36 districts of Punjab. The project involves elimination of worst forms of child labour and bonded labour particularly at brick kilns along with rehabilitation of freed labour for their economic empowerment.

62. In the province of KPK, Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015 has been promulgated wherein 14 years of minimum age for admission into employment, 12 years for light work and 18 years for the work of hazardous nature has been provided. It also provides for a list of 35 hazardous occupations prohibited for persons less than 18 years of age. The provisions of this act are applicable on all establishments and lay down stringent punishments for violators.

63. In the province of Sindh, Sindh Prohibition of Employment of Children Act, 2017 has been recently passed by Sindh Assembly which will eliminate all forms of child labour from province of Sindh especially in the wake of result of Child Labour Survey. Provincial Coordination Committee Sindh on Child Labour (PCC-CL) has been constituted in order to provide policy advice on child labour issues and Provincial Child Labour Units (PCLU) established in province to monitor the implementation of provincial level child labour elimination programmes. For instance, occupational safety and health studies have been conducted in 10 hazardous sectors in district Sukkur to identify main physical and psychosocial hazards faced by the young workers. The District Coordination Committee on Child Labour (DCC-CL) have been constituted in Sukkur to provide programme level advice and to monitor the progress at district level. District Jamshoro has been declared child labour free District.

Paragraph 22

64. Government recognizes social protection/safety nets as a means to mitigate and manage risk, vulnerability and to reduce poverty through transfers and social insurance for risk mitigation regardless of prior or future contribution. A national framework for social protection is being evolved in consultations with the provinces which will not only harmonize all provincial social protection policies but also bring up national features of the national social protection system. It is planned to bring all existing social protection programs under one umbrella with a unified and transparent inclusion criteria, better targeting system and efficient monitoring mechanism. Government has extended outreach of social safety nets to over 5 million people which represents coverage of over 16 percent of the population increased. Besides, increased the amount of cash transfers under BISP to the poorest of the poor, from Rs.1000/- per month in 2013 to Rs.1500/- per month in 2015, other measures are:

(i) Reduced incidence of indirect taxation and broaden the base of income tax;

(ii) Enhanced the allocations for PSDP to improve distributional mechanism;

(iii) Widened the access to quality services like endowment fund for education, up scaling nutrition programs etc;

(iv) Prime Minister's Health Insurance scheme to extend the coverage of health services to all citizens of the country;

(v) Ensured equality of opportunities for all segments of society through merit based recruitment system;

(vi) Revamped skill development and self-employment schemes through PM Youth Business loan initiatives;

(vii) Reformed and strengthened institutions for better delivery of public services to people;

(viii) Development process has been made more inclusive and participatory; and

(ix) Minorities welfare fund is established for grant of financial assistance to the poor and needy minorities & scholarships to minorities on merit and execution of small development schemes for the repair/maintenance of religious/worship places of minorities.

Paragraph 23

65. For adequate housing, the Constitution of Pakistan authorises the state to promote the social and economic well-being of the people. In this regard, Article 38(d) clearly states that the State shall "provide basic necessities of life, such as food, clothing, housing, education and medical relief, for all such citizens, irrespective of sex, caste, creed or race, as are permanently or temporarily unable to earn their livelihood on account of infirmity, sickness or unemployment".

66. In Vision 2025 launched by the Government of Pakistan, while catering to commercial demands, the housing sector will also be developed keeping in mind increasing urbanization and growth in population. A "Housing information system" to provide data on housing demand and supply will be established. The private sector will be encouraged to provide housing facilities. 'Katchi abadis' will be replaced by low income residential buildings with adequate provision of sewerage, clean water, and basic utilities such as gas and electricity. A move towards vertical expansion in city centres will provide residential facilities in addition to commercial space to city inhabitants.

67. The National Housing Policy 2001 was launched recognizing the fact that housing is one of the major components of everyday living and that there is an ever increasing shortfall of housing stock in the country. The policy emphasized on resource mobilization, increasing land availability, provision of incentives for home ownership, provision of incentives to builders and developers, promotion of research and development activities to make construction cost effective.

68. A Steering Committee has been constituted under the Minister of State for Housing & Works to translate Prime Minister's vision of 'Low Income Housing Scheme' into reality. The present government has identified housing as a priority area and is therefore planning to provide 500,000 housing units to low income groups during the next five years to overcome the housing shortfall. Broadly, the newly formed committee will be responsible to formulate policy recommendations to facilitate and invigorate the Low and Medium Income Housing Sectors in Pakistan, the committee has been assigned the task to recommend appropriate home financing prospects for Low Income Housing, alternate resource generation and pilot projects, where possible approximately 50 million people will be benefited by Prime Minister's Housing Finance Scheme for low-income people. The Steering Committee is an effort to engage all stakeholders, including private sector in this project to move ahead in uniformity. The provincial representatives have been directed to form Provincial Working Groups as well to replicate the same project at provincial level.

There has been emphasis to determine the "land bank" and utilize the evacuee trust property to the maximum. 2500 housing units have been divided among provinces including federal, 500 each, to be built as a pilot project.

69. Along with the house finance initiatives, the government has also established several projects which directly aim to provide housing facility to the poorest of the poor, the marginalized, and to the disadvantaged people. In this regard, Pakistan Bait ul Maal (PBM) has established Great homes for invalid and destitute persons, initially one at each provincial/regional head quarter (Islamabad, Lahore, Karachi, Peshawar, and Quetta). These homes provide free of cost boarding, lodging, food, clothing, medical care, recreation etc. to the residents in a dignified manner. Moreover, PBM has established Pakistan Sweet Homes (PSH) for orphans and children without parental support. So far, PBM has been able to establish six PSHs across the country, and each PSH accommodates around 100 orphan children between 4 and 6 years.

70. Amendments have been made in the form of legislation titled "Punjab Katchi Abadis (Amendment) Act 2009" by the Government of Punjab to make provisions for regularization of Katchi Abadis and to provide for development and improvement. Besides the Sindh Katchi Abadis Act, 1987 was enacted to make provision for the development and improvement of the areas of the Katchi Abadis regularization of such katchi Abadis and to establish an Authority for this purpose. Similarly the Balochistan Katchi Abadis (regularization and development) Act, 1987 was enacted to regularize and develop Katchi Abadi in province of Balochistan. The Government of KPK has enacted (Khyber PakhtunKhawa Act 1996) to make provisions for regularization, development and improvement of Katchi Abadis in the province.

71. The Supreme Court of Pakistan in Constitution Petition No. 41/2015 (Aasim Sajjad Akhtar & Others vs. Federation of Pakistan) vide Order dated 31-8-2015 appointed Secretary LJCP to convene a meeting in relation to katchi abadies for consideration of various proposals / suggestions aiming towards ensuring the enforcement of fundamental rights provided in Article 9, 14 and 20 read with Article 38 (d) of the Constitution. Pursuant to the directions of the Supreme Court of Pakistan, the LJCP Secretariat convened meetings of the representatives of Federal and Provincial governments to consolidate their efforts for addressing the problem of katchi abadies. The Secretariat assisted the Expert Working Group (EWG) constituted under the directions of the Court to draft a comprehensive national housing policy, focusing on the issues of katchi abadies, low cost and social housing. Based on EWG's submission, the LJCP, with the assistance of the UN-Habitat, prepared a comprehensive Policy on slums and katchi abadies which was shared with the provinces as well as the Capital Development Authority (CDA) for their feedback.

Paragraph 24

72. After the devolution, provision of providing clean drinking water is the responsibility of provinces. The 2009 National Drinking Water Policy in terms of provision of safe drinking water, particularly in rural areas and urban informal settlements is also being implemented. Efforts are underway to enhance access to adequate sanitation facilities, electricity and other basic services in the country.

Paragraph 25

73. The consultation with all stakeholders including different federal and provincial departments on the draft National Food Security Policy (NFSP) is in process. The first draft National Food Security Policy to devise the comprehensive measures for improving food security situation of the country has been prepared. Minister of National Food Security and Research (MNFSR) in collaboration with FAO has initiated the Integrated Food Security Phase Classification (IPC) to classify the districts of Pakistan on the basis of available secondary data regarding key food security indicators. This will help in planning the targeted response for the targeted food insecure population of Pakistan. MNFSR is

developing Zero Hunger Programme in collaboration with World Food Program to improve the food security situation in the targeted districts of Pakistan.

74. Food Security Assessment (FSA) Survey in collaboration with world Food Programme and Food and Agricultural Organization was also conducted. This survey was conducted in all the four provinces, Gilgit Baltistan, FATA and Federal Capital. The draft report has been finalized and is in process of review. The results of FSA would help to estimate the exact food security situation in the country for better policy and planning to deal with the food insecurity situation.

Paragraph 26

75. The draft National Health Policy, 2009 was prepared by Federal Ministry of Health before 18th Constitutional Amendment and was being implemented. After 18th Amendment, the subject was devolved to the Provinces which are now independent in formulation of their own health policies. However, key components of this policy are being replicated by provinces. SDG 3 on Health "Ensure healthy lives and promote well-being for all at all ages" is of critical significance for Pakistan. In this context,

(i) Pakistan has launched a landmark health initiative — The Prime Minister's National Health Insurance Program with the objective to provide universal health coverage through a cashless health insurance scheme to those living below the poverty line. It is encouraging that 100 million citizens would be covered under this scheme in the initial phase;

(ii) Our Lady Health Worker Program is well utilized and being expanded to deliver basic health services directly to communities to achieve the Sustainable Development Goals, and eventually universal health coverage. These Lady Health Workers are playing an important role in reducing maternal mortality and morbidity;

(iii) The public spending on health sector has also been steadily increasing.

Paragraph 27

76. The Government has undertaken various measures for addressing the issues of infant and under five child mortality, maternal mortality; polio, tuberculosis and malaria.

77. Infant and under five child mortality: In 2015, a national Infant and Young Child Feeding (IYCF) strategy was developed and endorsed with UNICEF support. This ensured that mothers and caregivers are aware of, and follow, good feeding practices, and thus reduce malnutrition in Pakistan. The Federal EPI streamlined its Vitamin A supplementation strategy, reducing coverage gaps, and the federal government is developing guidelines on Vitamin A supplementation. Over 32 million children aged 6–59 months received two doses of Vitamin A in 2015. Nearly 816,000 children under five were reached with micronutrient supplementation against 333,000 targeted, and nearly 519,000 women and children accessed support for Infant and Young Child Feeding (IYCF), against 307,000 targeted.

78. A ten-point National Vision 2016-2025 to address reproductive, maternal, newborn, child and adolescent health and nutrition challenges was launched by the federal Ministry of National Health Services, Regulation and Coordination, and endorsed by all provinces and territories. Crucially, the National Vision also recognizes, as a public health priority, newborn care interventions guided by the Global Every Newborn Action Plan (GENAP) which provides a roadmap for reducing preventable deaths. It also envisages reducing infant mortality rate from 74 to less than 40 (per 1,000 births).

79. Maternal mortality: The Government has launched Maternal and Child Health Programme in order to improve Maternal and Neonatal Health services for all particularly the poor and the disadvantaged at all levels of health care delivery system. In KP and FATA, nearly 1,770,000 temporary dislocated persons received maternal and child health care support from government and its partners including UNICEF. This helped ensure there

was no neonatal or maternal mortality in UNICEF-supported camps during 2015. The Vision 2025 also envisages reducing maternal mortality rate from 276 to less than 140 (per 1,000 births.

80. Polio: The EPI program provides immunization to children against the seven vaccine-preventable diseases including poliomyelitis under one year of age. In 2015 a paradigm shift occurred in polio eradication, away from covered children to reach continuously missed children, and to place frontline workers at the centre of the effort. As part of the Polio Eradication Initiative, the Government's National Emergency Action Plan 2015–2016, contributing to a reduction in missed children to below 1 per cent in very high risk districts and in polio cases from 306 in 2014 to 54.

81. Tuberculosis: The EPI program also provides immunization to children against childhood tuberculosis.

82. Malaria: In order to achieve a substantial improvement in health sector, a number of vertical programmes are operative in Pakistan. These federally funded vertical programs include among others Malaria eradication programme.

Paragraph 28

83. Awareness about sexual and reproductive health is being promoted through media campaigns, advocacy, workshops and seminars and providing age-appropriate education to young children in schools. Knowledge of family planning is being expanded among both women and men. The Lady Health-Workers' Program has helped to create awareness regarding contraceptive methods, family planning and sexual and reproductive health across the country.

84. In Pakistan, abortion is permitted only in cases to save the life of the woman and to preserve her physical health. Abortion is not permitted in case of rape or incest, foetal impairment, economic or social reasons and it cannot be available upon request. Unlawful abortion is dealt under the legal framework of the Pakistan Penal Code under PPC 338. Necessary Treatment under this provision means any medical or surgical intervention necessary, in good faith, for the purpose of saving the life of the woman. It is interpreted as exception to the rule. If continuation of the pregnancy would result in the death of the mother, leaving only two options, to let either the mother or foetus survive, but not both, Abortion can be performed.

Paragraph 29

85. The Government has increased public spending on education at federal and provincial level. At the Federal level, Public Sector Development program 2014-15, an amount of Rs. 3.45 billion has been provided for on-going & new projects of the Ministry of Federal Education & Professional Training. The Government of Punjab has allocated Rs.48.31 billion against last year Rs.23.31 billion, an increase of 10% for the development of education. The Government of Sindh has allocated Rs.15.05 billion in 2014-15 as compared to Rs.14.99 billion in 2013-14. The Government of Khyber Pakhtunkhwa has allocated Rs. 12.38 billion in 2014-15 as compared to Rs. 11.66 billion in 2013-14 showing an increase of 6.17% for the development of education. The Government of Balochistan has allocated Rs. 11.52 billion against Rs. 10.15 billion last year, an increase of 13.50% for 217 development projects for promotion of education.

86. The Government has taken various steps at Federal and Provincial level for the improvement of net enrolment at primary and secondary level and addressing the gender disparities, including, i. Through the Every Child in School initiative, about 762,000 children enrolled in primary school in 50 focus districts, a 9 per cent increase from 2014. Of these, 211,000 were girls and ii. In 2015 about 70,400 children were reached with WASH facilities in schools, thus eliminating a major barrier to school enrolment and retention which particularly affect girls.

87. The Government has taken various measures to address the issue of children out of school, including,

(i) The corporal punishment has been banned in all schools so as to encourage the enrolment of children in schools and address the drop out of schools under the law on the abolition of corporal punishment formulated by Provinces;

(ii) Parents-Teachers Committees have been established to monitor the issue;

(iii) National Commission for Human Development (NCHD) is striving hard to reach Out-of-reach children;

(iv) Infrastructure has been improved to make the schools accessible for all children;

(v) Stipends are being provided especially to girl children to ensure their enrolment in schools.

88. The Government of Balochistan, Education Department is implementing the Education Management Information System (EMIS) to enhance planning and management of all educational activities. The Balochistan Education Sector Plan (BESP) has been developed wherein an expansion programme has also been included which adds classrooms and teachers to 3600 primary schools. The Balochistan Government has also set up schools to prepare out of school children for return to regular institutions through a fast track primary programme. The Government of Gilgit Baltistan through its education Department is undertaking various measures for increasing completion rate at primary level (An updated position under Article 2(1) — maximum available Resources and Article 13-14 - Right to Education with regard to (i) spending on education (ii) improvement of enrolment (iii) out of school children issue (iv) completion rates at primary level in Gilgit Baltistan & Balochistan and (v) facilities in schools — water & sanitation is at Annex-VIII).

89. Due to its geography, geology and climate Pakistan has endured numerous natural disasters in recent years causing collateral damage at a large scale-over 95,000 killed in 2005 in the massive Earthquake, hundreds killed in 2013 Earthquake in Balochistan, 20 million homes destroyed in 2010 by the gigantic flood with an estimated economic damage of U.S dollar 42 billion. The schools have been the worst victim because of the school infrastructure not constructed to bear the tremendous shock of for instance earthquake and the school administration as well as the students were not prepared to meet such challenges. Though there were some provisions in the school curriculum and learning materials to address crisis and disaster management related issues but due to non-availability of a proper mechanism the concepts could not be enforced appropriately. Pakistan's education system has now recognised the need for preparation of individuals and groups to grapple with the demands of emergencies through organized and effective responses. Credible rehabilitation and disaster management plans need to be put in place to ensure early restoration of education service. In this regard, following policy actions are being taken:

(i) Awareness shall be raised amongst the students regarding emergency situations, natural disasters and school safety so as to enable them to take appropriate preventive measures and informed decisions in emergencies or crisis;

(ii) Curriculum, especially of Social Studies, Geography, Languages, and Literacy shall include themes on emergencies, natural disasters and trauma management based on latest international best practices. It would also include information about response in an emergency or disaster;

(iii) Teacher education and training curricula shall include provisions to enable the teacher to address education in emergencies;

(iv) A repository of all emergency related materials, manuals, guidelines, minimum standards and research pertaining to education shall be maintained all the teachers training institutions, schools, colleges and universities;

(v) National Disaster Management Authority shall provide guidelines and code of conduct to the building departments to construct school infrastructure according to the international standards;

(vi) The authorities involved in planning (i.e., Federal Ministry of Education, Planning Commission and Provincial Planning & Development Departments) shall examine that guidelines and code of conduct for construction of school infrastructure regarding disaster have been followed while recommending the education projects for approval;

(vii) National Disaster Management Authority shall make available the Standard Operating Procedures (SOPs) for the educational institutions to follow pre and post emergency situations;

(viii) Disaster Management Plans shall include education delivery mechanism for rehabilitation.

90. In addition, National Disaster Management Authority (NDMA) formulated Pakistan School Safety Framework (PSSF) in collaboration with UNICEF and the British Council which aims to implement school safety in all schools of Pakistan in order to prepare against the natural or manmade hazards so that the education of school children cannot be affected due to disaster. The pilot phase of PSSF includes the awareness to the teacher and students about the safe building codes in areas prone to specifics hazards. In the pilot programme PSSF 68 schools were selected including both public and private schools with mutual consultation with education department and secretariats of private school system. NDMA has already completed the first phase of Pakistan School Safety Programme in which core group of 30 members was trained at Lahore as Master School Trainer. In the 2nd Phase, 209 teachers from each of the nominated 68 schools were trained by the Master Trainers and equipped with thorough knowledge and practices pertaining to school safety. The third phase of the pilot programme is in progress in which the trained teacher will further develop the respective school safety system plan, raise the school safety Organization, under take the self-assessment of the School Safety Standard in accordance with Pakistan School Safety Framework and also prepared the school community for response against the disaster in respective school. NDMA has also formulated the Standard Operating Procedure on separated, unaccompanied and missing children in disaster situations.

91. Provincial Disaster Management Authority, Sindh is cognizant of the importance of continuation of education during disaster and temporary dislocation of people. In this regard in 2014, provincial disaster management authority Sindh est.[1]dished tent cities/tent village in disaster prone areas. Due to this step of PDMA Sindh, Schools remained functional and no disruption was caused in academic activities during disaster situation.

Paragraph 30

92. As regard the qualification of teachers, school facilities etc. operated by Basic Education Community Schools (BECS) under Article-26, an update is at Annex-IX. The update covers (a) total schools & enrolment; (b) qualification of school Teachers; (c) Facilities by the Government in BECS; (d) Criteria/ Regulations for opening of BECS; (e) Last 5 year achievements; (f) Last five year enrolment; and (g) Gender-wise details of students.

Paragraph 31

93. To introduce integrated multi-grades teaching under Article-15 Cultural Rights, initiatives include,

(i) Basic Education Community Schools for promotion of regional languages;

(ii) HCHD adopted Multi-grade Teaching Technique in the schools where multilingual teaching at all levels is compulsory. The students are taught syllabus in print language and explain it in mother tongue or local languages. Alongside the national and international language is also taught;

(iii) National Commission for Human Development is a lead agency in adult literacy. The literacy centers are linked with functional literacy where skills are also

provided to new literates. In these classes local language and national language is used during learning environments:

(iv) Urdu and English are compulsory languages from Class I to 12, although the medium of instructions is Urdu up to Class 3 in Public Schools. Whereas Arabic Language is compulsory for 6 to 8 Class. Moreover, Arabic, Persian, Punjabi, Balochi, Pashto and Sindhi Languages are being taught as Optional subjects from Class 9 to 12 in respective provinces;

(v) Government of KPK has established a "Language & Literature Unit" which consists of competent and learned members who regularly conduct meetings seminars, debates etc. for the promotion and preservation of all regional languages including minority languages. Relevant minority groups and organizations are financially sponsored for conduct of their cultural programs across the province.